

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

7/19/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR NO. 05-00046JMS

CASE NAME: United States of America Vs. (02) Carlos Alberto Garcia

ATTYS FOR PLA: Beverly Wee Sameshima

ATTYS FOR DEFT: (02) Peter N. Riamos and William Domingo

INTERPRETER:

JUDGE: J. Michael Seabright

REPORTER: Sharon Ross

DATE: 7/19/2006

TIME: 2:10pm-2:35pm

COURT ACTION: EP: Sentencing to Count 1 of the Indictment as to Defendant (02) Carlos Alberto Garcia-Defendant Present not in Custody.

Court accepts the Plea Agreement.

The Court adopts the presentence investigation report.

Defendant addresses the Court.

Sentence as to Count 1 of the Indictment-

Imprisonment-135 Months

Court Recommendation-1. Prison Facility close to Los Angeles, California.
2. Educational/Vocational Training

Mittimus Stayed to 1/4/2007 by 10:00 a.m.(Local Time) to the prison facility designated by the Bureau of Prisons. (Self Surrender)

Supervised Release-3 Years

Special Conditions of Supervised Release-

1. That the defendant shall abide by the standard conditions of supervision.
2. That the defendant not commit any crimes, federal, state, or local (mandatory condition).
3. That the defendant not possess illegal controlled substances (mandatory condition)
4. That the defendant shall cooperate in the collection of DNA as directed by the probation officer.
5. That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the terms of supervision (mandatory condition).
6. That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. That the defendant execute all financial disclosure forms, and provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office.
8. That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

No Fine.

Special Assessment-\$100.00

Defendant advised of his limited right to appeal.

Government's Oral Motion to Dismiss Count 2 of the Indictment-is hereby Granted.

Submitted by Leslie L. Sai, Courtroom Manager